

Amendment dated: May 1, 2006

Reply to the Office Action of January 30, 2006

AMENDMENT(S) TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in this application. Please amend claims 1, 9, 10, 14, 17 and 21 and add new claims 23 to 26 as follows:

Listing of Claims:

1. (Currently amended) An eyeglass case comprising:

an upper cover;

a lower cover;

a button which is secured to the ~~upper~~ lower cover; and

a rotating member which is secured to a contact portion between the upper cover and the lower cover,

wherein said rotating member is arranged such that when pushing the button for release, a spring, rotor or vane in the rotating member moves to slowly open the upper cover upwardly away from the lower cover and allow contents within the case to be ~~removed~~ directly retrieved in a single step by the same hand or member depressing the button.

2. (Previously presented) An eyeglass case according to claim 1, wherein said rotating member comprises a support spindle for supporting the spring and an outer housing for containing the support spindle, the support spindle and the outer housing being integrally united, and wherein oil is sealed in the support spindle.

3. (Previously presented) An eyeglass case according to claim 1, wherein the rotating member comprises a main body case having holes for securement, the rotor or vane fitted into an inside of the case, oil with which a clearance inside of the case is filled, and a cover body.

4. (Previously presented) An eyeglass case according to claim 2, wherein the outer housing is integrally formed with the upper cover.

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5. (Previously presented) An eyeglass case according to claim 4, wherein the outer housing is constituted by an outer cylindrical frame formed at a lower end portion of the upper cover,

with the support spindle structured and arranged to fit into the frame along an inner circumferential wall thereof.

6. (Previously presented) An eyeglass case according to claim 5, additionally comprising protrusions extending from a lateral end wall of the outer cylindrical frame and inner lateral surface of the support spindle and serving as stoppers for the spring which is arranged to seat upon and be fixed between the two stoppers.

7. (Previously presented) An eyeglass case according to claim 6, comprising two said rotating members respectively situated on lateral ends of the eyeglass case.

8. (Previously presented) An eyeglass case according to claim 1, comprising two said rotating members respectively situated on lateral ends of the eyeglass case.

9. (Currently amended) An eyeglass case according to claim 3 [[1]], ~~wherein the button is situated on the upper cover and~~ additionally comprising a button securing portion situated upon the ~~lower upper~~ cover, the button and securing portion arranged to be engagable with and disengagable from one another.

10. (Currently amended) An eyeglass case according to claim 1, ~~wherein the button is situated on the lower cover and~~ additionally comprising a button securing portion situated upon the upper cover, the button and securing portion arranged to be engagable with and disengagable from one another.

11. (Previously presented) An eyeglass case according to claim 1, additionally comprising an upper lock member situated upon the upper cover and a lower lock member situated upon the lower cover,

the upper and lower lock members arranged to be engaged with one another when the case is closed and released from one another when the button is depressed.

12. (Previously presented) An eyeglass case according to claim 1, wherein upon release of the button , the spring allows rotation of the upper and lower covers with respect to one another in a slow controlled manner, such that the case can be opened with just a single hand by depressing the button.

13. (Previously presented) An eyeglass case according to claim 2, wherein due to provision of the oil within the spindle, upon release of the button the spring controls rotation between the upper and lower covers in a slow manner, such that the case can be opened with just a single hand by depressing the button.

14. (Currently amended) An eyeglass case according to claim 2, ~~wherein the button is situated on the upper cover and~~ additionally comprising a button securing portion situated upon the ~~lower~~ upper cover, the button and securing portion arranged to be engagable with and disengagable from one another.

15. Canceled.

16. (Previously presented) An eyeglass case according to claim 2, additionally comprising an upper lock member situated upon the upper cover and a lower lock member situated upon the lower cover,

the upper and lower lock members arranged to be engaged with one another when the case is closed and released from one another when the button is depressed.

17. (Currently amended) An eyeglass case according to claim 13, wherein the button is situated on the upper lower cover and additionally comprising a button securing portion situated upon the lower upper cover, the button and securing portion arranged to be engagable with and disengagable from one another.

18. Canceled.

19. (Previously presented) An eyeglass case according to claim 13, additionally comprising an upper lock member situated upon the upper cover and a lower lock member situated upon the lower cover,

the upper and lower lock members arranged to be engaged with one another when the case is closed and released from one another when the button is depressed.

20. (Previously presented) An eyeglass case according to claim 13, comprising two said rotating members respectively situated on lateral ends of the eyeglass case.

21. (Currently amended) An eyeglass case according to claim 1, being oblong-shaped with longer and shorter sides, said rotating member being positioned at and oriented along one of said longer sides, and said button positioned adjacent the other of said longer side.

22. (Previously presented) An eyeglass case according to claim 1, wherein oil is positioned throughout an interior of said rotating member and about the spring, rotor or vane positioned therewithin.

23. (New) An eyeglass case (1) comprising :

- a) an elongated generally rectangular housing (1) defining an interior space configured and dimensioned to hold a pair of eyeglasses and having a lower portion (3) and an upper cover (2) hingedly attached to the lower portion (3) along a lengthwise edge of the lower portion (3) and movable between an open position and a closed position;
- b) latch means secured to the lower portion (3), said latch means having an upward facing surface (5) and including a member movable between a first position wherein the member is engageable with the cover (2) when the cover is in the closed position and a second position wherein the member is not engageable with the cover (2), said member being moved to the second position by a biasing force and in response to activation of an activator or button (4) possessing an upward facing activation surface to release contact with the upper cover (2);
- c) biasing means for providing the biasing force and pivoting the cover (2) to the open position upon activation of the activator or button (4), upwardly and away from the lower portion (3); and
- d) damping means for slowing the upward pivoting movement of the cover (2).

24. (New) The eyeglass case of claim 23 wherein the biasing means comprises a spring (8) positioned within a support spindle (7) disposed within a recess extending along the lengthwise edge of the cover (2).

25. (New) The eyeglass case of claim 24 wherein the damping means comprises a quantity of oil (9) surrounding the spring (8).

26. (New) The eyeglass case of claim 25 comprising a stopper (10) at an inner end of the recess and a stopper(11) on the spindle (7) to fix the spring (8) in position.